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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/447,443	11/22/1999	PRASANTA BEHERA	NETS0059	3814

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EXAMINER

DODDS, HAROLD E

ART UNIT	PAPER NUMBER
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2177

DATE MAILED: 12/17/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/447,443

Applicant(s)

BEHERA, PRASANTA

Examiner

Harold E. Dodds, Jr.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

ATTACHMENT TO PTO 1533

Notification of Insufficient Funds

This is notify you that Deposit Account # 0711445
on 0711443 had insufficient funds available to charge
the required fee.

Current Balance: 0

DETAILED ACTION

37 CFR 1.131 Affidavit Rejection

1. The evidence submitted is insufficient to establish diligence from a date prior to the date of reduction to practice of the Weschler (U.S. Patent No. 6,470,332) reference to either a constructive reduction to practice or an actual reduction to practice.

2. The following is a quotation of 35 U.S.C. 715.07(a) which forms the basis for diligence set forth in this Office action:

What is meant by diligence is brought out in *Christie v. Seybold*, 1893 C.D. 515, 64 O.G. 1650 (6th Cir. 1893). In patent law, an inventor is either diligent at a given time or he is not diligent; there are no degrees of diligence. An applicant may be diligent within the meaning of the patent law when he or she is doing nothing, if his or her lack of activity is excused. Note, however, that the record must set forth an explanation or excuse for the inactivity; the USPTO or courts will not speculate on possible explanations for delay or inactivity. See *In re Nelson*, 420 F.2d 1079, 164 USPQ 458 (CCPA 1970). Diligence must be judged on the basis of the particular facts in each case. See MPEP § 2138.06 for a detailed discussion of the diligence requirement for proving prior invention.

3. At page 1 and 2, paragraph 4 of the affidavit, the Claimant states:

"The earliest filing date of the above mentioned reference is May 19, 1999. The conception of the claimed subject matter of my invention occurred prior to the specified date of said reference and was coupled with due diligence from prior to said reference date to the filing of the above mentioned application. In support of this, I have attached the following document: "An Elegant Method to Enable User Manageability in a LDAP Server" dated September 2, 1998 (marked Exhibit "A")."

Likewise, at page 2, paragraph 7 of the affidavit, the Claimant states:

"The above supporting facts show the conception of my invention prior to the effective date of said reference coupled with due diligence from prior to said date to the filing of the above-cited application."

In paragraphs 4 and 7 the Claimant states that he was diligent, but nowhere in the affidavit does the Claimant provide any proof of diligence.

4. Exhibit A of the "Response" filed 18 September 2003 establishes a conception date of 13 August 1998 and Exhibit B states a request on 25 May 1999 that

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the patent application be filed. There is a considerable period of time between the two dates identified in Exhibits A and B. According to the above quotation from the MPEP a period of inaction by the applicant may be excused if there is an explanation or excuse for the inactivity. This explanation has not been provided by the applicant.

5. The evidence submitted is insufficient to establish applicant's alleged actual reduction to practice of the invention in this country or a NAFTA or WTO member country after the effective date of the Weschler reference.

6. The following is a quotation of 35 U.S.C. 715.07 which forms the basis for the explanation of the affidavit set forth in this Office action:

The affidavit or declaration and exhibits must clearly explain which facts or data applicant is relying on to show completion of his or her invention prior to the particular date. Vague and general statements in broad terms about what the exhibits describe along with a general assertion that the exhibits describe a reduction to practice "amounts essentially to mere pleading, unsupported by proof or a showing of facts" and, thus, does not satisfy the requirements of 37 CFR 1.131(b). *In re Borkowski*, 505 F.2d 713, 184 USPQ 29 (CCPA 1974). Applicant must give a clear explanation of the exhibits pointing out exactly what facts are established and relied on by applicant. 505 F.2d at 718-19, 184 USPQ at 33. See also *In re Harry*, 333 F.2d 920, 142 USPQ 164 (CCPA 1964) (Affidavit "asserts that facts exist but does not tell what they are or when they occurred.").

7. There was no indication as to which portions of Exhibit A of the affidavit are related to the various phrases in independent claims 1, 5, 6, 10, 14, 15, 19, 23, and 24 of the patent application. The applicant should provide a correlation on how various statements in the affidavit apply to these claims. The display of examples of commands does not in itself provide a correlation between the display and elements of the claims in the proposed invention.

For these reasons, the "Affidavit Under 37 C.F.R. § 1.131" has been disallowed.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 1-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weschler et al. (U.S. Patent No. 6,470,332), Hann et al. (U.S. Patent No. 4,799,153), and Albrecht et al. (U.S. Patent No. (5,950,011).

10. Weschler rendered obvious independent claims 1, 10, and 19 by the following:

"...a specified set of Lightweight Directory Access Protocol (LDAP) attributes..." at col. 4, lines 61-63 and col. 8, lines 56-59.

"...wherein said read access control command..." at col. 8, lines 1-9, col. 8, lines 56-59, and col. 7, lines 56-59.

"...resides in a directory containing said LDAP attributes..." at col. 8, lines 10-15, col. 8, lines 56-59, and col. 7, lines 56-59.

"...said read access control command..." at col. 8, lines 1-15, col. 8, lines 56-59, and col. 7, lines 56-59.

"...listing LDAP user attributes..." at col. 8, lines 56-59, col. 1, lines 55-59, and col. 7, lines 56-59.

"...that said administrator has selected..." at col. 2, lines 35-37 and col. 1, lines 55-59.

"...for user defined read access..." at col. 1, lines 55-59, col. 8, lines 1-9, and col. 8, lines 56-59.

"...and said read access control command..." at col. 8, lines 1-9, col. 8, lines 56-59, and col. 7, lines 56-59.

"...referring to said user defined..." at col. 1, lines 55-59.

"...at runtime..." at col. 1, lines 55-59.

"...read access to said LDAP user attributes..." at col. 8, lines 1-15, col. 8, lines 56-59, col. 1, lines 55-59, and col. 7, lines 56-59.

Weschler does not teach the use of user identifications, the providing of user defined access command attributes, and the use of read lists.

11. However, Hann teaches the use of user identifications as follows:

"...containing user identifications..." at col. 16, lines 16-21.

"...allowing said read user identifications..." at col. 7, lines 30-33 and col. 16, lines 16-21.

It would have been obvious to one ordinarily skilled in the art at the time of the invention to use user identifications in order have a method of determining which users were authorized to use the system.

Hann does not teach the providing of user defined access command attributes, providing of system administrator defined access commands, and the use of read lists.

12. However, Albrecht teaches the providing of user defined access command attributes and the use of read lists as follows:

"...providing a user defined access control command attribute..." at col. 1, lines 62-67, col. 2, lines 1-3, col. 2, lines 26-32, col. 9, lines 45-49, and col. 9, lines 57-58.

"...read list..." at col. 10, lines 18-23.

"...that are allowed to read..." at col. 2, lines 26-32.

"...providing a system administrator defined read access control command..." at col. 4, lines 19-23, col. 1, lines 62-67, col. 2, lines 1-3, col. 2, lines 26-32, and col. 9, lines 45-49.

"...read list..." at col. 10, lines 18-23.

"...read access to said user attributes..." at col. 9, lines 57-58.

It would have been obvious to one ordinarily skilled in the art at the time of the invention to provide the user with the capability of defining access command attributes in order to make the system user-friendly and provide ease of operation of the system. Likewise, it would have been obvious to one ordinarily skilled in the art at the time of the invention to be able to read a user-defined list in order to select entries in the list for further processing.

13. Weschler rendered obvious independent claims 5, 14, and 23 by the following:

"...that lists Lightweight Directory Access Protocol (LDAP) user attributes..." at col. 4, lines 61-63 and col. 8, lines 56-59.

"...that said administrator has selected..." at col. 2, lines 35-37 and col. 1, lines 55-57.

"...for user defined read access..." at col. 1, lines 55-57, col. 8, lines 3-9, and col. 8, lines 56-59.

"...providing a system administrator defined..." at col. 2, lines 35-37 and col. 1, lines 55-57.

"...write access control command..." at col. 8, lines 3-9, col. 8, lines 55-59, and col. 7, lines 57-61.

"...that lists LDAP user attributes..." at col. 8, lines 56-59, col. 1, lines 55-59, and col. 7, lines 56-59.

"...that said administrator has selected..." at col. 2, lines 35-37 and col. 1, lines 55-57.

"...for user defined write access..." at col. 1, lines 55-59, col. 8, lines 39-, and col. 8, lines 56-59.

"...providing a plurality of user defined..." at col. 1, lines 55-59.

"...access control command attribute..." at col. 8, lines 55-59 and col. 7, lines 57-61.

"...said LDAP user attributes..." at col. 8, lines 56-59, col. 1, lines 55-59, and col. 7, lines 56-59.

"...that said administrator has selected..." at col. 2, lines 35-37 and col. 1, lines 55-57.

"...for user defined read access..." at col. 1, lines 55-57, col. 8, lines 3-9, and col. 8, lines 56-59.

"...and providing a plurality of user defined..." at col. 1, lines 55-59.

"...access control command attribute..." at col. 8, lines 55-59 and col. 7, lines 57-61.

"...said LDAP user attributes..." at col. 8, lines 56-59, col. 1, lines 55-59, and col. 7, lines 56-59.

"...that said administrator has selected..." at col. 2, lines 35-37 and col. 1, lines 55-57.

"...for user defined write access..." at col. 1, lines 55-57, col. 8, lines 3-9, and col. 8, lines 56-59.

"...wherein said read access control command and said write access control command..." at col. 8, lines 3-9, col. 8, lines 56-59, and col. 7, lines 57-61.

"...reside in a directory containing said LDAP user attributes..." at col. 8, lines 10-15, col. 8, lines 56-59, and col. 7, lines 56-59.

"...wherein when a client read access..." at col. 1, lines 55-59, col. 8, lines 3-9, and col. 8, lines 56-59.

"...to one of the LDAP user attributes..." at col. 4, lines 61-63 and col. 8, lines 56-59.

"...that said administrator has selected..." at col. 2, lines 35-37 and col. 1, lines 55-57.

"...for user defined read access occurs..." at col. 1, lines 55-57, col. 8, lines 3-9, and col. 8, lines 56-59.

"...said read access control command..." at col. 8, lines 3-9, col. 8, lines 56-59, and col. 7, lines 57-61.

"...of the attribute being accessed..." at col. 8, lines 56-59.

"...said read access..." at col. 8, lines 1-9 and col. 8, lines 56-59.

"...and wherein when a client write access..." at col. 1, lines 55-59, col. 8, lines 3-9, and col. 8, lines 56-59.

"...to one of the LDAP user attributes..." at col. 4, lines 61-63 and col. 8, lines 56-59.

"...that said administrator has selected..." at col. 2, lines 35-37 and col. 1, lines 55-57.

"...for user defined write access occurs..." at col. 1, lines 55-57, col. 8, lines 3-9, and col. 8, lines 56-59.

"...said write access control command..." at col. 8, lines 3-9, col. 8, lines 56-59, and col. 7, lines 57-61.

"...of the attribute being accessed..." at col. 8, lines 56-59.

"...said write access..." at col. 8, lines 1-9 and col. 8, lines 56-59.

Weschler does not teach providing system administrator access control commands, the lists of user identifications, the use of owners, the use of read lists, and the use of write lists.

14. However, Hann teaches the use of user identifications as follows:

"...containing user identifications..." at col. 16, lines 16-21.

"...containing user identifications..." at col. 16, lines 16-21.

"...of the owner..." at col. 16, lines 20-21 and col. 7, lines 36-39.

"...of the owner..." at col. 16, lines 20-21 and col. 7, lines 36-39.

It would have been obvious to one ordinarily skilled in the art at the time of the invention to use user identifications in order have a method of determining which users were authorized to use the system. Likewise, it would have been obvious to one ordinarily skilled in the art at the time of the invention to allow certain users to own attributes in order to restrict use of these attributes to users that have permission of the owner to use the owned attributes.

Hann does not teach providing system administrator access control commands and the use of read lists and the use of write lists.

15. However, Albrecht teaches the use of read lists and the use of write lists as follows:

"...providing a system administrator defined read access control command..." at col. 4, lines 19-23, col. 1, lines 62-67, col. 2, lines 1-3, col. 2, lines 26-32, and col. 9, lines 45-49.

"...providing a system administrator defined write access control command..." at col. 4, lines 19-23, col. 1, lines 62-67, col. 2, lines 1-3, col. 2, lines 26-32, and col. 9, lines 45-49.

"...read lists..." at col. 10, lines 18-23.

"...that are allowed to read..." at col. 2, lines 26-32.

"...write lists..." at col. 2, lines 26-32 and col. 10, lines 18-23.

"...that are allowed to write..." at col. 2, lines 26-32.

"...and the read list..." at col. 10, lines 18-23.

"...are used to determine if said client has permission to execute..." at col. 21, lines 61-65 and col. 13, lines 31-34.

"...and the write list..."

"...are used to determine if said client has permission to execute..." at col. 21, lines 61-65 and col. 13, lines 31-34.

It would have been obvious to one ordinarily skilled in the art at the time of the invention to provide the system administrator with the capability of defining access commands in order to make the system user-friendly and provide ease of operation of the system. Likewise, it would have been obvious to one ordinarily skilled in the art at the time of the invention to be able to read using a user-defined list in order to select

entries in the list for further processing and to write using a user-defined list in order to complete processing entities on the list.

16. Weschler rendered obvious independent claims 6, 15, and 24 by the following:

"...a specified set of Lightweight Directory Access Protocol (LDAP) attributes..." at col. 4, lines 61-63 and col. 8, lines 56-59.

"...wherein said write access control command..." at col. 8, lines 1-9, col. 8, lines 56-59, and col. 7, lines 56-59.

"...resides in a directory containing said LDAP attributes.." at col. 8, lines 10-15, col. 8, lines 56-59, and col. 7, lines 56-59.

"...said write access control command..." at col. 8, lines 1-9, col. 8, lines 56-59, and col. 7, lines 56-59.

"...listing LDAP user attributes..." at col. 8, lines 56-59, col. 1, lines 55-59, and col. 7, lines 56-59.

"...that said administrator has selected..." at col. 2, lines 35-37 and col. 1, lines 55-59.

"...for user defined write access..." at col. 1, lines 55-59, col. 8, lines 1-9, and col. 8, lines 56-59.

"...and said write access control command..." at col. 8, lines 1-9, col. 8, lines 56-59, and col. 7, lines 56-59.

"...referring to said user defined..." at col. 1, lines 55-59.

"...at runtime..." at col. 1, lines 55-59.

"...write access to said LDAP user attributes..." at col. 8, lines 1-15, col. 8, lines 56-59, col. 1, lines 55-59, and col. 7, lines 56-59.

Weschler does not teach the use of user identifications, the providing of user defined access command attributes, the providing of system administrator defined access commands, and the use of write lists.

17. However, Hann teaches the use of user identifications as follows:

"...containing user identifications..." at col. 16, lines 16-21.

"...allowing said write user identifications..." at col. 7, lines 30-33 and col. 16, lines 16-21.

It would have been obvious to one ordinarily skilled in the art at the time of the invention to use user identifications in order have a method of determining which users were authorized to use the system.

Hann does not teach the providing of user defined access command attributes, the providing of system administrator defined access commands, and the use of write lists.

18. However, Albrecht teaches the use of write lists as follows:

"...providing a user defined access control command attribute..." at col. 1, lines 62-67, col. 2, lines 1-3, col. 2, lines 26-32, col. 9, lines 45-49, and col. 9, lines 57-58.

"...write list..." at col. 2, lines 26-32 and col. 10, lines 18-23.

"...that are allowed to write..." at col. 2, lines 26-32.

"...providing a system administrator defined write access control command..." at col. 4, lines 19-23, col. 1, lines 62-67, col. 2, lines 1-3, col. 2, lines 26-32, and col. 9, lines 45-49.

"...write list..." at col. 2, lines 26-32 and col. 10, lines 18-23.

"...write access to said user attributes..." at col. 10, lines 57-61 and col. 9, lines 57-58.

It would have been obvious to one ordinarily skilled in the art at the time of the invention to provide of user with the capability of defining access command attributes in order to make the system user-friendly and provide ease of operation of the system. Likewise, it would have been obvious to one ordinarily skilled in the art at the time of the invention to be able to write a user-defined list in order to select entries in the list for further processing.

19. As per claims 2, 11, and 20, the "...read access access control command..." is taught by Weschler at col. 8, lines 1-9, col. 8, lines 57-59, and col. 7, lines 56-59, the "...according to the attribute being accessed..." is taught by Weschler at col. 8, lines 57-59, the "...refers to the read list..." is taught by Albrecht at col. 10, lines 18-23, the "...list of the owner..." is taught by Hann at col. 16, lines 20-21 and col. 7, lines 36-39, the "...of the attribute being accessed..." is taught by Weschler at col. 8, lines 57-59, the "...to determine if said client has permission to execute..." is taught by Albrecht at col. 21, lines 61-65 and col. 13, lines 31-34,

and the "...read access..." is taught by Weschler at col. 8, lines 1-9 and col. 8, lines 56-59.

20. As per claims 3, 12, and 21, the "...providing a user defined..." is taught by Weschler at col. 1, lines 55-59,
the "...write list..." is taught by Albrecht at col. 2, lines 26-32 and col. 10, lines 18-22,
the "...containing user identifications..." is taught by Hann at col. 16, lines 16-21,
the "...that are allowed to write a specified set of attributes..." is taught by Weschler at col. 8, lines 3-9,
the "...providing a system administrator defined..." is taught by Weschler at col. 2, lines 35-37 and col. 1, lines 55-59,
the "...write access control command..." is taught by Weschler at col. 8, lines 1-9, col. 8, lines 56-59, and col. 7, lines 56-59,
the "...write access control command..." is taught by Weschler at col. 8, lines 1-9, col. 8, lines 56-59, and col. 7, lines 56-59,
the "...listing the user attributes..." is taught by Weschler at col. 8, lines 56-59 and col. 7, lines 56-59,
the "...said administrator has selected..." is taught by Weschler at col. 2, lines 35-37 and col. 1, lines 55-59,
the "...for user defined write access..." is taught by Weschler at col. 1, lines 55-59, col. 8, lines 1-9, and col. 8, lines 56-59,
the "...write access control command referring to..." is taught by Weschler at col. 8, lines 1-9, col. 8, lines 56-59, and col. 7, lines 56-59,

the "...user defined..." is taught by Weschler at col. 1, lines 55-59,
the "...write list..." is taught by Albrecht at col. 2, lines 26-32 and col. 10, lines 18-22,
the "...user identifications..." is taught by Hann at col. 16, lines 16-21,
and the "...write access to said user attributes..." is taught by Weschler at col. 8, lines 56-59 and col. 7, lines 56-59.

21. As per claims 4, 13, and 22, the "...write access control command..." is taught by Weschler at col. 8, lines 1-9, col. 8, lines 57-59, and col. 7, lines 56-59,
the "...according to the attribute being accessed..." is taught by Weschler at col. 8, lines 57-59,
the "...refers to the write list..." is taught by Cutler at col. 23, lines 58-60,
the "...list of the owner..." is taught by Hann at col. 16, lines 20-21 and col. 7, lines 36-39,
the "...of the attribute being accessed..." is taught by Weschler at col. 8, lines 57-59,
the "...to determine if said client has permission to execute..." is taught by Albrecht at col. 21, lines 61-65 and col. 13, lines 31-34,
and the "...write access..." is taught by Weschler at col. 8, lines 1-9 and col. 8, lines 56-59.

22. As per claims 7, 16, and 25, the "...write access control command..." is taught by Weschler at col. 8, lines 1-9, col. 8, lines 57-59, and col. 7, lines 56-59,
the "...according to the attribute being accessed..." is taught by Weschler at col. 8, lines 57-59,
the "...refers to the write list..." is taught by Cutler at col. 23, lines 58-60,

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the "...list of the owner..." is taught by Hann at col. 16, lines 20-21 and col. 7, lines 36-39,

the "...of the attribute being accessed..." is taught by Weschler at col. 8, lines 57-59,

the "...to determine if said client has permission to execute..." is taught by Albrecht at col. 21, lines 61-65 and col. 13, lines 31-34,

and the "...write access..." is taught by Weschler at col. 8, lines 1-9 and col. 8, lines 56-59.

23. As per claims 8, 17, and 26, the "...providing a user defined..." is taught by Weschler at col. 1, lines 55-59,

the "...read list..." is taught by Albrecht at col. 10, lines 18-22,

the "...containing user identifications..." is taught by Hann at col. 16, lines 16-21,

the "...that are allowed to read a specified set of attributes..." is taught by Weschler at col. 8, lines 3-9,

the "...providing a system administrator defined..." is taught by Weschler at col. 2, lines 35-37 and col. 1, lines 55-59,

the "...read access control command..." is taught by Weschler at col. 8, lines 1-9, col. 8, lines 56-59, and col. 7, lines 56-59,

the "...read access control command..." is taught by Weschler at col. 8, lines 1-9, col. 8, lines 56-59, and col. 7, lines 56-59,

the "...listing the user attributes..." is taught by Weschler at col. 8, lines 56-59 and col. 7, lines 56-59,

the "...said administrator has selected..." is taught by Weschler at col. 2, lines 35-37
and col. 1, lines 55-59,

the "...for user defined read access..." is taught by Weschler at col. 1, lines 55-59, col.
8, lines 1-9, and col. 8, lines 56-59,

the "...read access control command referring to..." is taught by Weschler at col. 8, lines
1-9, col. 8, lines 56-59, and col. 7, lines 56-59,

the "...user defined..." is taught by Weschler at col. 1, lines 55-59,

the "...read list..." is taught by Albrecht at col. 10, lines 18-22,

the "...user identifications..." is taught by Hann at col. 16, lines 16-21,

and the "...read access to said user attributes..." is taught by Weschler at col. 8, lines
56-59 and col. 7, lines 56-59.

24. As per claims 9, 18, and 27, the "...read access access control
command..." is taught by Weschler at col. 8, lines 1-9, col. 8, lines 57-59, and col. 7,
lines 56-59,

the "...according to the attribute being accessed..." is taught by Weschler at col. 8, lines
57-59,

the "...refers to the read list..." is taught by Albrecht at col. 10, lines 18-23,

the "...list of the owner..." is taught by Hann at col. 16, lines 20-21 and col. 7, lines 36-
39,

the "...of the attribute being accessed..." is taught by Weschler at col. 8, lines 57-59,

the "...to determine if said client has permission to execute..." is taught by Albrecht at
col. 21, lines 61-65 and col. 13, lines 31-34,

and the "...read access..." is taught by Weschler at col. 8, lines 1-9 and col. 8, lines 56-59.

Response to Arguments

25. Applicant's arguments filed 18 August 2003 have been fully considered but they are not persuasive. In the first argument concerning the 37 CFR 1.131 Affidavit Rejection on page 1, item "2", the applicant states as follows:

"Applicant does not agree with the Office Action's statement that "there is no reference to the use of commands in the Exhibit". The Exhibit clearly shows that commands are used. The Exhibit listed examples of commands such 35 as:

"Ex: (hobby, emergencyContact) (allow (read) filterattr= "read usercontrolattr")"

Therefore, the Exhibit referenced commands."

As stated previously in this action, there was no indication as to which portions of Exhibit A of the affidavit are related to the various phrases in independent claims 1, 5, 6, 10, 14, 15, 19, 23, and 24 of the patent application. The applicant should provide a correlation on how various statements in the affidavit apply to these claims. The display of examples commands does not in itself provide a correlation between the display and elements of the claims in the proposed invention.

26. In the second argument concerning independent claims 1, 10, and 19 on page 3, paragraph 10 and page 4, paragraph 1, the applicant states as follows:

"This does not teach or disclose providing a user defined access control command attribute read list containing user identifications that are allowed to read a specified set of Lightweight Directory Access Protocol (LDAP) attributes as claimed in the invention. Further, although the claim element citation is out of context, the passage does not teach or disclose providing a user defined- access control command as the Office Action states. There is no ability for a user to define a read list in an access control command mentioned or contemplated in this passage. Therefore, Weschler in col. 1, lines 55-59 does not teach or contemplate providing a user defined access control

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command attribute read list containing user identifications that are allowed to read a specified set of Lightweight Directory Access Protocol (LDAP) attributes as claimed in the invention."

This phrase is taught by a combination of references from Weschler, Hann, and Albrecht. Albrecht teaches "providing a user defined access control command attribute" at col. 1, lines 62-67, col. 2, lines 1-3, col. 2, lines 26-32, col. 9, lines 45-49, and col. 9, lines 57-58, "read list" at col. 10, lines 18-23, and "that are allowed to read" at col. 2, lines 26-32; Hann teaches "containing user identifications" at col. 16, lines 16-21; and Weschler teaches "a specified set of Lightweight Directory Access Protocol (LDAP) attributes" at col. 4, lines 61-63 and col. 8, lines 56-59.

Albrecht teaches "providing a user defined access control command attribute" as follows:

"...In this case, it is possible to perform an installation, and at the end of this installation to emit a piece of information (which is called a "script" by one skilled in the art, and which is actually a small customization program) containing **configuration instructions**. However, in order to allow such a configuration, this information, which is not created or constructed automatically, must first be described and **entered by a user**, which is certainly lacking in simplicity and user-friendliness..." at col. 1, lines 62-67 and col. 2, lines 1-3.

"...The designer allows **read and write access** to the knowledge base which contains the data describing the various elements of the network that can be configured and the links between these various elements, which designer makes it possible to define the various configuration capabilities of the editor on which the desired configuration is displayed..." at col. 2, lines 26-32.

"...The instrumentation of a functional group can consist of either a set of **configuration commands**, or of a number of configuration files, no matter what types of platforms are configured..." at col. 9, lines 45-49.

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"...read the value of a set of **attributes** specific to the functional group..." at col. 9, lines 57-58.

This set of teachings by Albrecht may be interpreted as allowing a user to enter configuration instructions as configuration commands, which define the control of the read a write access by using a set of attributes.

27. In the third argument concerning independent claims 1, 10, and 19 on page 4, paragraph 4, the applicant states as follows:

"Weschler is clearly teaching that queries can be made relative to a search root. There is no teaching or contemplation of an ability for a user to define a read list in an access control command in this passage. Therefore, Weschler in col. 8, lines 56-59 does not teach or contemplate providing a user defined access control command attribute read list containing user identifications that are allowed to read a specified set of Lightweight Directory Access Protocol (LDAP) attributes as claimed in the invention."

This is essentially the same as the second argument. Therefore, the response to the second argument applies to the third argument.

28. In the fourth argument concerning independent claims 1, 10, and 19 on page 4, paragraph 6 and page 5, paragraph 1, the applicant states as follows:

"Once again, Weschler teaches that requests for profile services can be made and not providing a user defined access control command attribute read list containing user identifications that are allowed to read a specified set of Lightweight Directory Access Protocol (LDAP) attributes as claimed in the invention. There is no teaching or contemplation of an ability for a user to define a read list in an access control command in this passage. Therefore, Weschler in Col. 7, lines 57-61 does not teach or contemplate providing a user defined access control command attribute read list containing user identifications that are allowed to read a specified set of Lightweight Directory Access Protocol (LDAP) attributes as claimed in the invention."

This is essentially the same as the second argument. Therefore, the response to the second argument applies to the fourth argument.

29. In the fifth argument concerning independent claims 1, 10, and 19 on page 5, paragraph 4, the applicant states as follows:

"This passage is part of a historical background of why DAP was developed. This does not teach or disclose the claimed invention's element "providing a user defined access control command attribute read list containing user identifications that are allowed to read a specified set of Lightweight Directory Access; Protocol (LDAP) attributes" as claimed in the invention. The mere mention of LDAP does not disclose the claimed invention, nor does it give any motivation for one skilled in the art at the time the invention was made to make the claimed invention."

This is essentially the same as the second argument. Therefore, the response to the second argument applies to the fifth argument.

30. In the sixth argument concerning independent claims 1, 10, and 19 on page 6, paragraphs 3 and 4, the applicant states as follows:

"The Office Action further states "...providing a system administrator defined..." at col. 2, lines 35-37, and col. 1, lines 65-59." Once again, the claim element has been taken out of context. Col. 2, lines 35-37 state:

"The user or system administrator must manually track the location and content of each configuration file."

This passage is again background information and simply states that manual tracking of configuration files had to be performed in previous systems. This has nothing to do with the claimed invention. The claimed invention's element is "providing a system administrator defined read access control command". This passage has nothing to do with a read access control command, nor does it have anything to do with providing a system administrator defined read access control command. Therefore, Weschler in col. 2, lines 35-37 does not teach or contemplate providing a system administrator defined read access control command as claimed in the invention."

Albrecht teaches "providing a system administrator defined access control command" as follows:

"...A consistent global configuration, combined with the fact that less skill is required to install the software necessarily implies better control by the **administrator** of the management of

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systems deployment, which has the principal effect of improving overall reliability..." at 4, lines 19-23.

"...In this case, it is possible to perform an installation, and at the end of this installation to emit a piece of information (which is called a "script" by one skilled in the art, and which is actually a small customization program) containing **configuration instructions**. However, in order to allow such a configuration, this information, which is not created or constructed automatically, must first be described and **entered by a user**, which is certainly lacking in simplicity and user-friendliness..." at col. 1, lines 62-67 and col. 2, lines 1-3.

"...The designer allows **read and write access** to the knowledge base which contains the data describing the various elements of the network that can be configured and the links between these various elements, which designer makes it possible to define the various configuration capabilities of the editor on which the desired configuration is displayed..." at col. 2, lines 26-32.

"...The instrumentation of a functional group can consist of either a set of **configuration commands**, or of a number of configuration files, no matter what types of platforms are configured..." at col. 9, lines 45-49.

The role of administrator of systems development suggests the role of a system administrator. This set of teachings by Albrecht may be interpreted as allowing a system administrator to enter configuration instructions as configuration commands, which define the control of the read a write access.

31. In the seventh argument concerning independent claims 1, 10, and 19 on page 6, paragraph 6 and page 7, paragraph 1, the applicant states as follows:

"Once again, this passage has nothing to do with the claimed invention. It states that specific configuration data may be saved that is used by the client to fine-tune and define the user's software environment at runtime. It does not teach what the Office Action states. It further does not teach or contemplate the claimed invention's element of "providing a system administrator defined read access control command. Therefore, Weschler in col. 1, lines 55-59 does not teach or contemplate providing a system administrator defined read access control command as claimed in the invention."

This is essentially the same as the sixth argument. Therefore, the response to the sixth argument applies to the seventh argument.

32. In the eighth argument concerning independent claims 1, 10, and 19 on page 7, paragraph 3, the applicant states as follows:

"This passage makes no mention of a "...read access control command..." as the Office Action states. It merely mentions that metadata exists that controls how the profile engine makes the profile data available to client applications. It does not teach or contemplate that claimed invention's element of "providing a system administrator defined read access control command". Therefore, Weschler in col. 8, lines 1-9 does not teach or contemplate providing a system administrator defined read access control command as claimed in the invention.

This is essentially the same as the sixth argument. Therefore, the response to the sixth argument applies to the eighth argument.

33. In the ninth argument concerning independent claims 1, 10, and 19 on page 7, paragraph 5 and page 8, paragraph 1, the applicant states as follows:

"As noted above, this passage discusses that a query can be made relative to a search root. This passage makes no mention of a "...read access control command..." as the Office Action states. There is no teaching or disclosure of the claimed invention's element "providing a system administrator defined read access control command". Therefore, Weschler in col. 8, lines 56-59 does not teach or contemplate providing a system administrator defined read access control command as claimed in the invention."

This is essentially the same as the sixth argument. Therefore, the response to the sixth argument applies to the ninth argument.

34. In the tenth argument concerning independent claims 1, 10, and 19 on page 8, paragraph 3, the applicant states as follows:

"Applicant is unclear why this passage was cited because it is incomplete. However, it does not teach or contemplate what the Office Action states. This passage makes no mention of a "...read access control command..." as the Office Action states. There is no

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teaching or disclosure of the claimed invention's element "providing a system administrator defined read access control command". Therefore, Weschler in Col. 7, lines 56-59 does not teach or contemplate providing a system administrator defined read access control command as claimed in the invention."

This is essentially the same as the sixth argument. Therefore, the response to the sixth argument applies to the tenth argument.

35. In the eleventh argument concerning independent claims 1, 10, and 19 on page 8, paragraph 4, the applicant states as follows:

"The Office Action further states "'wherein said read access control command...' at col. 8, lines 1-9, col. 8, lines 56-59, and col. 7, lines 56-59." Again, the claim element has been taken out of context. As discussed above, Weschler in col. 8, lines 1-9, col. 8, lines 56-59, and col. 7, lines 56-59 does not teach or contemplate the invention. These passages make no mention of "...wherein said read access control command..." as the Office Action states. There is no teaching or disclosure of the claimed invention's element "wherein said read access control command resides in a directory containing said LDAP attributes". Therefore, Weschler in col. 8, lines 1-9, col. 8, lines 56-59, and col. 7, lines 56-59 does not teach or contemplate wherein said read access control command resides in a directory containing said LDAP attributes as claimed in the invention."

Weschler teaches the use of access control commands as follows:

"...API 203 provides an interface that enables client applications that have a corresponding interface to send messages that enable the application to send data and **commands** to request profile services from core profile engine 201..." at col. 7, lines 57-61.

"...Specific **attributes** can be requested as a return value with **access control** being checked..." at col. 8, lines 57-59.

The use of access control commands is suggested by the combining of these two teachings.

Likewise, Weschler teaches the use of directories, LDAP and read permissions as follows:

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"The specific example of FIG. 2 includes a relational database 206, **lightweight directory access protocol** 207, flat data file 208, object oriented database 209, and X.500 directory 211..." at col. 8, lines 12-15.

"...This metadata includes, but is not limited to, information regarding owner identity, **read-write-modify permissions**, group membership, timestamps, triggers, and the like..." at col. 8, lines 6-9.

The phrase "wherein said read access control command resides in a directory containing said LDAP attributes" is taught by the combination of these four teachings of Wescher, which contain all of the critical elements of the phrase.

36. In the twelfth argument concerning independent claims 1, 10, and 19 on page 9, paragraph 2, the applicant states as follows:

"This passage makes no mention of "...resides in a directory containing said LDAP attributes..." as the Office Action states."

This contains elements of the eleventh argument. Therefore, the response to the eleventh argument applies to the twelfth argument.

37. In the thirteenth argument concerning independent claims 1, 10, and 19 on page 9, paragraph 3, the applicant states as follows:

"As discussed above, Weschler in col. 8, lines 56-59, and col. 7, lines 56-59 does not teach or contemplate the invention. These passages make no mention of "...resides in a directory containing said LDAP attributes..." as the Office Action states. There is no teaching or disclosure of the claimed invention's element 'Wherein said read access control command resides in a directory containing said LDAP attributes'. Therefore, Weschler in col. 8, lines 10-15, col. 8, lines 56-59, and col. 7, lines 56-59 does not teach or contemplate wherein said read access control command resides in a directory containing said LDAP attributes as claimed in the invention."

Weschler teaches this phrase. Weschler teaches "wherein said read access control command" at col. 8, lines 1-9, col. 8, lines 56-59, and col. 7, lines 56-59 and "resides in

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a directory containing said LDAP attributes" at col. 8, lines 10-15, col. 8, lines 56-59, and col. 7, lines 56-59.

38. In the fourteenth argument concerning independent claims 1, 10, and 19 on page 9, paragraph 4, the applicant states as follows:

"The Office Action further states "... said read access control command..." at col. 8, lines 1-9, col. 8, lines 56-59, and col. 7, lines 56-59." Again, the claim element has been taken out of context. As discussed above, Weschler in col. 8, lines 1-9, col. 8, lines 56-59, and col. 7, lines 56-59 does not teach or contemplate the invention. These passages make no mention of "...said read access control command..." as the Office Action states. There is no teaching or disclosure of the claimed invention's element "said read access control command listing LDAP user attributes that said administrator has selected for user defined read access". Therefore, Weschler in col. 8, lines 1-9, col. 8, lines 56-59, and col. 7, lines 56-59 does not teach or contemplate said read access control command listing LDAP user attributes that said administrator has selected for user defined read access as claimed in the invention."

The "read access control command" argument is essentially the same as the eleventh argument, which was addressed previously. Weschler teaches "said read access control command" at col. 8, lines 1-9, col. 8, lines 56-59, and col. 7, lines 56-59, "listing LDAP user attributes" at col. 8, lines 56-59, col. 1, lines 55-59, and col. 7, lines 56-59, "that said administrator has selected" at col. 2, lines 35-37 and col. 1, lines 55-59, and "for user defined read access" at col. 1, lines 55-59, col. 8, lines 1-9, and col. 8, lines 56-59.

39. In the fifteenth argument concerning independent claims 1, 10, and 19 on page 9, paragraph 4, the applicant states as follows:

"The Office Action further states "...listing LDAP user attributes..." at col. 8, lines 56-59, and col. 7, lines 56-59." Again, the claim element has been taken out of context. As discussed above, Weschler in col. 8, lines 56-59, and col. 7, lines 56-59 does not teach or contemplate the invention. These passages make no mention of "...listing LDAP user

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attributes..." as the Office Action states. There is no teaching or disclosure of the claimed inventor's element "said read access control command listing LDAP user attributes that said administrator has selected for user defined read access". Therefore, Weschler in col. 8, lines 56-69, and col. 7, lines 56-59 does not teach or contemplate said read access control command listing LDAP user attributes that said administrator has selected for user defined read access as claimed in the invention."

Weschler teaches the elements of this phrase at col. 8, lines 56-59, col. 1, lines 55-59, and col. 7, lines 56-59. Since the reference used has the same technology as the proposed invention the claim element has not been taken out of context. Weschler teaches this phrase found in claim 1. Weschler teaches "said read access control command" at col. 8, lines 1-15, col. 8, lines 56-59, and col. 7, lines 56-59, "listing LDAP user attributes" at col. 8, lines 56-59, col. 1, lines 55-59, and col. 7, lines 56-59, "that said administrator has selected" at col. 2, lines 35-37 and col. 1, lines 55-59, and "for user defined read access" at col. 1, lines 55-59, col. 8, lines 1-9, and col. 8, lines 56-59.

40. In the sixteenth argument concerning independent claims 1, 10, and 19 on page 10, paragraph 2, the applicant states as follows:

"The Office Action further states "...that said administrator has selected..." at col. 2, lines 35-37, and col. 1, lines 55-59." Again, the claim element has been taken out of context. As discussed above, Weschler in col. 2, lines 35-37, and col. 1, lines 55-59 does not teach or contemplate the invention. These passages make no mention of "...that said administrator has selected" as the Office Action states. There is no teaching or disclosure of the claimed invention's element "said read access control command listing LDAP user attributes that said administrator has selected for user defined read access". Therefore, Weschler in col. 2, lines 35-37, and col. 1, lines 55-59 does not teach or contemplate said read access control command listing LDAP user attributes that said administrator has selected for user defined read access as claimed in the invention."

Weschler teaches the elements of this phrase at col. 2, lines 35-37 and col. 1, lines 55-59. Since the reference used has the same technology as the proposed invention the claim element has not been taken out of context. Weschler teaches this phrase found in

claim 1. This is essentially the same as the fifteenth argument. Therefore, the response to the fifteenth argument applies to this part of the sixteenth argument.

41. In the seventeenth argument concerning independent claims 1, 10, and 19 on page 10, paragraph 3, the applicant states as follows:

"The Office Action further states "...for user defined read access..." at col. 1, lines 55-59, col. 8, lines 1-9, and col. 8, lines 56-59." Again, the claim element has been taken out of context. As discussed above, Weschler in col. 1, lines 55-59, col. 8, lines 1-9, and col. 8, lines 56-59 does not teach or contemplate the invention. These passages make no mention of "...for user defined read access..." as the Office Action states. There is no teaching or disclosure of the claimed invention's element "said read access control command listing LDAP user attributes that said administrator has selected for user defined read access". Therefore, Weschler in col. 1, lines 55-59, col. 8, lines 1-9, and col. 8, lines 56-59 does not teach or contemplate said read access control command listing LDAP user attributes that said administrator has selected for user defined read access as claimed in the invention."

Weschler teaches the elements of this phrase at col. 1, lines 55-59, col. 8, lines 1-9, and col. 8, lines 56-59. Since the reference used has the same technology as the proposed invention the claim element has not been taken out of context. Weschler teaches this phrase found in claim 1. This is essentially the same as the fifteenth argument.

Therefore, the response to the fifteenth argument applies to this part of the seventeenth argument.

42. In the eighteenth argument concerning independent claims 1, 10, and 19 on page 10, paragraph 4 and page 11, paragraph 1, the applicant states as follows:

"The Office Action further states "...and said read access control command..." at col. 8, lines 1-9, col. 8, lines 56-59, and col. 7, lines 56-59." Again, the claim element has been taken out of context. As discussed above, Weschler in col. 8, lines 1-9, col. 8, lines 56-59, and col. 7, lines 56-59 does not teach or contemplate the invention. These passages make no mention of "...and said read access control command..." as the Office Action states. There is no teaching or disclosure of the claimed invention's element "said read access control command referring to said user defined read list at runtime thereby allowing said read user identifications read access to said LDAP user

attributes". Therefore, Weschler in col. 8, lines 1-9, col. 8, lines 56-59, and col. 7, lines 56-59 does not teach or contemplate said read access control command referring to said user defined read list at runtime thereby said read user identifications read access to said LDAP user attributes as claimed in the invention."

Weschler teaches the elements of this phrase at col. 8, lines 1-15, col. 8, lines 56-59, and col. 7, lines 56-59. Since the reference used has the same technology as the proposed invention the claim element has not been taken out of context. Weschler teaches this phrase found in claim 1. This is essentially the same as the fifteenth argument. Therefore, the response to the fifteenth argument applies to this part of the eighteenth argument.

43. In the nineteenth argument concerning independent claims 1, 10, and 19 on page 11, paragraph 2, the applicant states as follows:

"The Office Action further states "...referring to said user defined..." at col. 1, lines 55-59. Again, the claim element has been taken out of context. As discussed above, Weschler in col. 1, lines 55-59 does not teach or contemplate the invention. The passage makes no mention of "...referring to said user defined..." as the Office Action states. There is no teaching or disclosure of the claimed invention's element "said read access control command referring to said user defined read list at runtime thereby allowing said read user identifications read access to said LDAP user attributes". Therefore, Weschler in col. 1, lines 55-59, col. 8, lines 1-9, and col. 8, lines 56-59 does not teach or contemplate said read access control command referring to said user defined read list at runtime thereby allowing said read user identifications read access to said LDAP user attributes as claimed in the invention."

Weschler teaches the elements of this phrase at col. 1, lines 55-59. Since the reference used has the same technology as the proposed invention the claim element has not been taken out of context. Weschler, Albrecht, and Hann teach this part of claim 1.

Weschler teaches "and said read access control command" at col. 8, lines 1-9, col. 8, lines 56-59, and col. 7, lines 56-59, "referring to said user defined" at col. 1, lines 55-59, "at runtime" at col. 1, lines 55-59, and "read access to said LDAP user attributes" at col.

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8, lines 1-15, col. 8, lines 56-59, col. 1, lines 55-59, and col. 7, lines 56-59; Albrecht teaches "read list" at col. 10, lines 18-23; and Hann teaches "allowing said read user identifications" at col. 7, lines 30-33 and col. 16, lines 16-21.

44. In the twentieth argument concerning independent claims 1, 10, and 19 on page 11, paragraph 3, the applicant states as follows:

"The Office Action's parsing of the claimed elements is out of context. Such parsing can only be attributed to information gleaned from the present invention, Such use of hindsight is impermissible."

In response to applicant's argument that the examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971). Responses have been provided to each of the phrases for which the Applicants have used this argument. Each phrase has been rendered obvious by multiple elements from one prior art reference. The choice of the references is such that they use similar technology to the proposed invention and all of the key elements in each phrase are addressed.

45. In the twenty-first argument concerning independent claims 5, 14, and 23 on page 12, paragraph 1, the applicant states as follows:

"The rejection of Claims 5, 14, and 23 is deemed moot in view of Applicants remarks regarding Claims 1, 10, and 19, above. Claims 5, 14, and 23 are dependent upon independent claims 1, 10, and 19, respectively, which are in allowable condition.

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Therefore, Applicant respectfully requests that the Examiner withdraw the rejection under 35 U.S.C. §103(a)."

Since independent claims 5, 14, and 23 use similar phrases as independent claims 1, 10, and 19, the responses to the second through the twentieth arguments have shown that the combination of references from Weschler, Hann, and Albrecht render obvious independent claims 1, 10, and 19, and no additional arguments have been provided for these claims then independent claims 5, 14, and 23 are still rendered obvious.

46. In the twenty-second argument concerning independent claims 6, 15, and 24 on page 12, paragraphs 2-4, the applicant states as follows:

"As with Claims 1, 10, and 19, above, neither Weschler, Hann, nor Albrecht, teach, describe, or contemplate the claimed invention. Therefore, Weschler, Hann, and Albrecht do not teach or disclose the invention as claimed. Claims 6, 15, and 24 are in allowable condition. Therefore, Applicant respectfully requests that the Examiner withdraw the rejection under 35 U.S.C. §103(a)."

Since independent claims 6, 15, and 24 use similar phrases as independent claims 1, 10, and 19, the responses to the second through the twentieth arguments have shown that the combination of references from Weschler, Hann, and Albrecht render obvious independent claims 1, 10, and 19, and no additional arguments have been provided for these claims then independent claims 6, 15, and 24 are still rendered obvious.

47. In the twenty-third argument concerning claims 2, 11, and 20 on page 12, paragraph 5, the applicant states as follows:

"The rejection of Claims 2, 11, and 20 is deemed moot in view of Applicant's remarks regarding Claims 1, 10, and 19, above. Claims 2, 11, and 20 are dependent upon independent Claims 1, 10, and 19, respectively, which are in allowable condition. Therefore, Applicant respectfully requests that the Examiner withdraw the rejection under 35 U.S.C. §103(a)."

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Since claims 2, 11, and 20 are dependent on independent claims 1, 10, and 19, the responses to the second through the twentieth arguments have shown that the combination of references from Weschler, Hann, and Albrecht render obvious independent claims 1, 10, and 19, and no additional arguments have been provided for these claims then claims 2, 11, and 20 are still rendered obvious.

48. In the twenty-fourth argument concerning claims 3, 12, and 21 on page 12, paragraph 6, the applicant states as follows:

"The rejection of Claims 3, 12, and 21 is deemed moot in view of Applicant's remarks regarding Claims 1, 10, and 19, above. Claims 3, 12, and 21 are dependent upon independent Claims 1, 10, and 19, respectively, which are in allowable condition. Therefore, Applicant respectfully requests that the Examiner withdraw the rejection under 35 U.S.C. §103(a)."

Since claims 3, 12, and 21 are dependent on independent claims 1, 10, and 19, the responses to the second through the twentieth arguments have shown that the combination of references from Weschler, Hann, and Albrecht render obvious independent claims 1, 10, and 19, and no additional arguments have been provided for these claims then claims 3, 12, and 21 are still rendered obvious.

49. In the twenty-fifth argument concerning claims 4, 13, and 22 on page 12, paragraph 7 and page 13, paragraph 1, the applicant states as follows:

"The rejection of Claims 4, 13, and 22 is deemed moot in view of Applicant's remarks regarding Claims 1, 10, and 19, above. Claims 4, 13, and 22 are dependent upon independent Claims 1, 10, and 19, respectively, which are in allowable condition. Therefore, Applicant respectfully requests that the Examiner withdraw the rejection under 35 U.S.C. §103(a)."

Since claims 4, 13, and 22 are dependent on independent claims 1, 10, and 19, the responses to the second through the twentieth arguments have shown that the

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combination of references from Weschler, Hann, and Albrecht render obvious independent claims 1, 10, and 19, and no additional arguments have been provided for these claims then claims 4, 13, and 22 are still rendered obvious.

50. In the twenty-sixth argument concerning claims 7, 16, and 25 on page 13, paragraph 2, the applicant states as follows:

"The rejection of Claims 7, 16, and 25 is deemed moot in view of Applicants remarks regarding Claims 6, 15, and 24, above. Claims 7, 16, and 25 are dependent upon independent Claims 6, 15, and 24, respectively, which are in allowable condition. Therefore, Applicant respectfully requests that the Examiner withdraw the rejection under 35 U.S.C. §103(a)."

Since claims 7, 16, and 25 are dependent on independent claims 6, 15, and 24, the responses to the second through the twentieth arguments and the twenty-second argument have shown that the combination of references from Weschler, Hann, and Albrecht render obvious independent claims 6, 15, and 24, and no additional arguments have been provided for these claims then claims 7, 16, and 25 are still rendered obvious.

51. In the twenty-seventh argument concerning claims 8, 17, and 26 on page 13, paragraph 3, the applicant states as follows:

"The rejection of Claims 8, 17, and 26 is deemed moot in view of Applicant's remarks regarding Claims 6, 15, and 24, above. Claims 8, 17, and 26 are dependent upon independent Claims 6, 15, and 24, respectively, which are in allowable condition. Therefore, Applicant respectfully requests that the Examiner withdraw the rejection under 35 U.S.C. §103(a)."

Since claims 8, 17, and 26 are dependent on independent claims 6, 15, and 24, the responses to the second through the twentieth arguments and the twenty-second argument have shown that the combination of references from Weschler, Hann, and

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Albrecht render obvious independent claims 6, 15, and 24, and no additional arguments have been provided for these claims then claims 8, 17, and 26 are still rendered obvious.

52. In the twenty-eighth argument concerning claims 9, 18, and 27 on page 13, paragraph 4, the applicant states as follows:

"The rejection of Claims 9, 18, and 27 is deemed moot in view of Applicant's remarks regarding Claims 6, 15, and 24, above. Claims 9, 18, and 27 are dependent upon independent Claims 6, 15, and 24, respectively, which are in allowable condition. Therefore, Applicant respectfully requests that the Examiner withdraw the rejection under 35 U.S.C. §103(a)."

Since claims 9, 18, and 27 are dependent on independent claims 6, 15, and 24, the responses to the second through the twentieth arguments and the twenty-second argument have shown that the combination of references from Weschler, Hann, and Albrecht render obvious independent claims 6, 15, and 24, and no additional arguments have been provided for these claims then claims 9, 18, and 27 are still rendered obvious.

Conclusion

53. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Harold E. Dodds, Jr. whose telephone number is (703)-305-1802. The examiner can normally be reached on Monday - Friday 8:00 - 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E. Breene can be reached on (703)-305-9790. The fax phone number for the organization where this application or proceeding is assigned is (703) 746-7239.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)-305-3900.

Harold E. Dodds, Jr.

Harold E. Dodds, Jr.
Patent Examiner
December 15, 2003


GRETA ROBINSON
PRIMARY EXAMINER